

**Village Council  
Monday,  
November 15, 2010  
7:00 PM**

**Minutes**

**Call to Order:** Mrs. Rush-Ekelberry called the meeting to order at 7:25pm.

**Pledge of Allegiance:** Mr. Wynkoop led the Pledge of Allegiance.

**Roll Call:**

John Bender	Rick Deeds	Steve Donahue	Bobbie Mershon
Marilyn Rush-Ekelberry		James Wynkoop	

Mr. Donahue moved to excuse Mrs. Turner; seconded by Mr. Wynkoop.

**VOTE:**       **AYES**       Dr. Bender, Mr. Wynkoop, Mrs. Mershon, Mr. Donahue  
                                     Mrs. Rush-Ekelberry, Mr. Deeds

**NAYS**

Motion passed.

**Approval of Minutes:**

Mr. Donahue moved to accept the minutes from the November 1<sup>st</sup>, 2010 meeting; seconded by Mrs. Mershon.

**VOTE:**       **AYES**       Dr. Bender, Mr. Wynkoop, Mrs. Mershon, Mr. Donahue  
                                     Mrs. Rush-Ekelberry, Mr. Deeds

**NAYS**

Motion passed.

**Communications & Petitions:**

A notice of Appeal of the decision of the Planning and Zoning Commission decision at their November 8, 2010 meeting was received from Wendell Collier regarding the variance and preservation area application for 180 W. Waterloo Street.

A notice was received from the Department of Commerce, Division of Liquor Control notifying the Village that all permits to sell alcoholic beverages in the Village will expire on February 1, 2011. If an objection to one or more of the renewals of the permits is to be filed it must be done by resolution and based upon substantial legal grounds within the meaning and intent of ORC Section 4303.292(A).

A petition was filed against the proposed Francis Park Development contained 77 signatures, 61 residents, 12 signatures with no address stated, 4 non residents.

**Village Residents Comments:**

Five-minute limit per person

**Cindi Lynch**, of 27 E Columbus Street, passed out a copy of a letter that was sent into Kevin Clark at OHFA (Ohio Housing and Finance Agency) and Mary Hadda at NRP. She has also met with Wagenbrenner.

**ORDINANCES:**

**SECOND READING**

Sponsor: Dr. Bender

O-10-11A AN ORDINANCE TO MAKE FINAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF CANAL WINCHESTER, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2011.

Dr. Bender read the ordinance; second reading only.

**FIRST READING**

Sponsor: Mr. Wynkoop

O-10-11B AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO THE WASTEWATER SERVICE AGREEMENT WITH THE VILLAGE OF LITHOPOLIS

Mr. Wynkoop read the ordinance; first reading only.

Sponsor: Mr. Wynkoop

O-10-11C AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENTS FOR THE PURCHASE OF EASEMENTS NECESSARY FOR THE RECONSTRUCTION OF GENDER ROAD PHASE 1 AND DECLARING AN EMERGENCY

Mr. Wynkoop read the ordinance and moved to suspend the rules for the 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**VOTE:**      **AYES**              Dr. Bender, Mr. Wynkoop, Mrs. Mershon, Mr. Donahue  
   Mrs. Rush-Ekelberry, Mr. Deeds

**NAYS**

Motion passed.

Mr. Wynkoop moved to adopt Ordinance 46-10; seconded by Mrs. Mershon.

**VOTE:**      **AYES**              Dr. Bender, Mr. Wynkoop, Mrs. Mershon, Mr. Donahue  
   Mrs. Rush-Ekelberry, Mr. Deeds

**NAYS**

Motion passed.

## RESOLUTIONS:

## FIRST READING

Sponsor: Mr. Deeds

R-10-11A RESOLUTION OF INTENTION TO PARTICIPATE IN A WATERSHED PLANNING PARTNERSHIP TO DEVELOP A BALANCED GROWTH PLAN FOR THE WALNUT CREEK WATERSHED

Mr. Deeds read the resolution and moved to suspend the rules for the 2<sup>nd</sup> and 3<sup>rd</sup> reading; Mr. Wynkoop seconded the motion

**VOTE:**           **AYES**           Dr. Bender, Mr. Wynkoop, Mrs. Mershon, Mr. Donahue  
Mrs. Rush-Ekelberry, Mr. Deeds

## NAYS

Motion passed.

Mr. Deeds moved to adopt Resolution 14-10; seconded by Mrs. Rush-Ekelberry.

**VOTE:**       **AYES**       Dr. Bender, Mr. Wynkoop, Mrs. Mershon, Mr. Donahue  
Mrs. Rush-Ekelberry, Mr. Deeds

## NAYS

Motion passed.

### Mayor's Report:

Mr. Donahue moved to accept the Mayor's Court Clerk October 2010 report; seconded by Mrs. Mershon.

**VOTE:**           **AYES**           Dr. Bender, Mr. Wynkoop, Mrs. Mershon, Mr. Donahue  
Mrs. Rush-Ekelberry, Mr. Deeds

**NAYS**

Motion passed.

**Fairfield County Sheriff:**

Deputies apprehended a burglary suspect after a short chase through the Village today. There was a break-in at the Taco Bell and deputies caught one suspect inside the building and two others in the lot. Sgt. Kern read his report.

**Village Solicitor:**

There is a need for an Executive session this evening to discuss the purchase or sale of real estate.

**Finance Director:**

The October, 2010 Financial Statement and a draft of the Council Meeting Dates for 2011 were included in the packet.

The Labor Day meeting date may be changed if Council should choose.

FEMA and Homeland Security released a news release regarding the Franklin County Hazard Mitigation Plans.

**Public Works Director:**

Public Works Director:  
Windows for Town Hall should be installed this week.

Leaf pick-up is ongoing until December 3<sup>rd</sup>.

Christmas in the Village preparations are being made.

Gender Rd Phase 1 project design is in 90% review.

The new Healthcare legislation is impacting our insurance and those changes for 2011 are being made.

Personnel items are being looked at in preparation for City status.

77 of the 84 trees for fall tree planting are in the ground.

Thanks to NTB and Hartman's for helping with the shredding of the tires from the tire sweep in October.

3 sanitary sewer projects will open bids on Friday.

Job posting is open to replace Dave McCarty after 30 years of service.

The pool and fountain have been winterized.

The towers and wells are going through the winterization now.

133 shut off tags were placed with 26 actually turned off. 6 remain off at this time; mostly vacant homes.

#### **Development Director:**

The Downtown Zoning subcommittee will meet again next Monday.

The Fairfield / 33 Alliance annual investors meeting is tomorrow night at 6:30 at Tammy Jo's in Lancaster.

#### **Community Affairs Director:**

Next newsletter will go out tomorrow morning.

Christmas in the Village is planned and underway. Saturday night is starting an hour earlier. The parade is expanding and art students will be doing window painting in downtown businesses.

Friday 6-9pm with the parade starting at 5:15pm and the activities are starting at 6pm. Saturday will be from 5-9 with the parade at 4:30pm.

Employee appreciation dinner will be January 8<sup>th</sup> at Shades on the Canal.

#### **Council Reports:**

Old Town Committee Monday, December 13, 2010 at 5:45 PM

- Vinyl in the preservation area was discussed at last meeting
- The question as to whether the preservation area will eventually be the Historic district was discussed.

Finance Committee Monday, December 6, 2010 at 5:45 PM

Service Committee Monday, December 20, 2010 at 5:45 PM

- Rick Brown from IT was at the meeting and the technology committee was discussed.
- The Tech Committee will not convene, but the issues will be discussed in Service.

Safety Committee Wednesday, December 1, 2010 at 9:00 AM – 36 S High St - LLCR

Committee of Whole Monday, November 29, 2010 at 6:30 PM

Public Hearing Monday, December 6, 2010 at 6:30 PM – Wagenbrenner/NRP appeal

Public Hearing Monday, December 20, 2010 at 6:30 PM – Bakitis appeal

CW Joint Recreation District Representative

- Sports fees will be rising due to the levy not passing.

CW Human Services Representative

- Area churches will participate in a Choral concert on December 19<sup>th</sup> at Oley Speaks auditorium and proceeds go to emergency assistance.

Main Street Canal Winchester Representative

Canal Winchester Industry & Commerce Corporation Representative

- Short meeting tomorrow at Noon.

#### **Old/New Business:**

January 3, 2011 at 6:30 PM was set for the Public Hearing for Collier appeal

**Adjourn to Executive Session:**

Dr. Bender moved to adjourn to an executive session; seconded by Mr. Deeds.

**VOTE:**       **AYES**       Dr. Bender, Mr. Wynkoop, Mrs. Mershon, Mr. Donahue  
                                     Mrs. Rush-Ekelberry, Mr. Deeds

**NAYS**

Motion passed. Time out 7:25pm Time in 7:55pm

**Adjournment:**

Mr. Donahue moved to adjourn the meeting; seconded by Mr. Deeds

**VOTE:**       **AYES**       Dr. Bender, Mr. Wynkoop, Mrs. Mershon  
                                     Mrs. Rush-Ekelberry, Mr. Deeds

**NAYS**

Motion passed. Time out 7:56pm

---

Clerk of Council

---

President of Council

---

Date

---

Mayor

**NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.**